

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARIO WILLIAMS,

Petitioner,

vs.

ROBERT A. HOREL, Warden,

Respondent.

No. C 08-1692 WHA (PR)

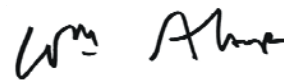
**ORDER OF TRANSFER; DENIAL
OF MOTION TO PROCEED IN
FORMA PAUPERIS**

In this habeas case petitioner seeks to challenge a conviction incurred in the Superior Court of Los Angeles County, which is in the venue of the United States District Court for the Central District of California. Petitioner is incarcerated at Pelican Bay State Prison, which is in this district. Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction are preferably heard in the district of conviction. Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968).

Because petitioner was convicted in Los Angeles County, this case is **TRANSFERRED** to the United States District Court for the Central District of California. See 28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b). Petitioner's motion for leave to proceed in forma pauperis (document number 2 on the docket) is **DENIED** as moot because he has paid the filing fee.

IT IS SO ORDERED.

Dated: April 24, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARIO WILLIAMS,
Plaintiff,

Case Number: CV08-01692 WHA

CERTIFICATE OF SERVICE

v.

ROBERT A. HOREL et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 24, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Mario Williams
J-98382/ 117-low MF
Pelican Bay State Prison
PO Box 7500
Crescent City, CA 95532

Dated: April 24, 2008

Richard W. Wieking, Clerk
By: D. Toland, Deputy Clerk